

Message Text

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PAGE 01 KABUL 01546 01 OF 02 260907Z
ACTION AID-59

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C O N F I D E N T I A L SECTION 1 OF 2 KABUL 1546

E.O. 11652: GDS
TAGS: SHUM, AF
SUBJECT: FIRST MEETING OF THE HUMAN RIGHTS COUNCIL OF THE
U.S. MISSION TO AFGHANISTAN

REF: A. STATE 030440 (AIDAC); B. KABUL 0484

FOR STATE AND AID

1. SUMMARY: AT ITS INITIAL MEETING, THE HUMAN RIGHTS COUNCIL (HRC) OF THE U.S. MISSION TO AFGHANISTAN (REFTEL B) EVALUATED THE CURRENT HUMAN RIGHTS SITUATION IN THIS COUNTRY AND CONSIDERED THE POSSIBILITIES OF UNDERTAKING ACTION PROGRAMS IN THE LEGAL AND JUDICIAL FIELDS (REFTEL A). END SUMMARY.

2. ON FEBRUARY 14, THE FIRST MEETING OF THE HRC WAS OPENED BY THE AMBASSADOR. ATTENDING WERE THE DCM (COUNCIL CHAIRMAN), HEADS OF ALL SECTIONS OF THE MSSION, AND MRS. JANE A. COON, VISITING NEA/PAB COUNTRY DIRECTOR.

3. THE HRC DISCUSSED THE THREE "GROUPS" OF HUMAN RIGHTS RECENTLY DEFINED BY THE U.S. GOVERNMENT. WITH REFERENCE TO THE GROUP ONE, "THE RIGHT TO BE FREE FROM GOVERNMENTAL VIOLATIONS OF THE INTEGRITY OF THE PERSON," THE HRC NOTED THAT THE AFGHAN RECORD IS MIXED. WHILE SECRET MILITARY TRIALS
CONFIDENTIAL

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PAGE 02 KABUL 01546 01 OF 02 260907Z

CONTINUE TO VEIL FROM PUBLIC VIEW THE TREATMENT OF POLITICAL PRISONERS (SOME EXECUTIONS ARE PUBLICIZED, HOWEVER), AMERICAN OBSERVERS HAD NOTED GRADUAL IMPROVEMENT IN THE PROCESSING OF REGULAR CIVIL AND CRIMINAL CASES. THE GROUP NOTED THAT PERHAPS THE MOST GLARING CIVIL RIGHTS VIOLATION OF THE PAST YEAR WAS WHAT APPEARED TO BE THE GOVERNMENT-SANCTIONED MURDER OF ARIANA AFGHAN AIRWAYS CHIEF PILOT GRAN, WHO HAD BEEN

THE AIRLINE EMPLOYEES' CHIEF NEGOTIATOR DURING TENSE LABOR TALKS WITH MANAGEMENT. THERE IS, HOWEVER, NO PROOF AS YET THAT THE GOVERNMENT WAS INDEED INVOLVED.

4. DISCUSSING THE ECONOMIC AND SOCIAL RIGHTS (GROUP TWO), THE HRC AGREED THAT THE GOVERNMENT OF AFGHANISTAN (GOA) WAS TRYING TO PURSUE POLICIES DIRECTED TOWARD THE GOAL OF IMPROVING THE LIVES OF ITS CITIZENS -- BUT WAS BEING HAMPERED BY INEFFICIENT ADMINISTRATION AND IMPLEMENTATION. USAID REPRESENTATIVES OBSERVED THAT THERE IS SOME QUESTION AS TO WHETHER THE GOA ECONOMIC STRATEGY IS GOING TO GET THE AFGHANS WHERE THEIR RHETORIC SAYS THEY WANT TO GO; WITHOUT SOME CHANGES IN THE GOA STRATEGY AWAY FROM OVER-RELIANCE ON HEAVY INDUSTRY AND THE PUBLIC SECTOR IN FAVOR OF THE RURAL SECTOR AND SMALL FARMER, IT WILL BE DIFFICULT TO IMPROVE SIGNIFICANTLY THE LOT OF POOR ELEMENTS IN AFGHAN SOCIETY. USAID HAS A CLEAR MANDATE TO IMPROVE THE LOT OF THE AFGHAN POOR, AND ITS PROGRAM STRATEGY SEEKS ECONOMIC GROWTH WITH GREATER EQUITY. ON A POSITIVE NOTE, THE HRC VOICED ITS SATISFACTION OVER THE AFFIRMATIVE ACTION PROGRAM OF KABUL'S MOST PRESTIGIOUS GIRLS' SECONDARY SCHOOL, WHICH HAS ALLOCATED 30 PERCENT OF ITS INCOMING CLASS POSITIONS TO DAUGHTERS OF THE HAZARA ETHNIC MINORITY-- THE LOWEST IN THE AFGHAN PECKING ORDER, BUT SOCIALLY AND ECONOMICALLY AMBITIOUS. (THE SCHOOL'S HEADMISTRESS HAS FOUND -- TO HER SURPRISE AND PLEASURE -- THAT THE HAZARA GIRLS SOON ARE AMONG HER BEST STUDENTS.)
CONFIDENTIAL

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PAGE 03 KABUL 01546 01 OF 02 260907Z

5. AS FOR CIVIL AND POLITICAL LIBERTIES (GROUP THREE), THE HRC CONCLUDED THAT, GIVEN THE PRIMITIVE STATE OF POLITICAL LIFE IN AFGHAN SOCIETY, IMPROVEMENTS IN THIS AREA WILL NOT BE ACHIEVED IN THE NEAR FUTURE. THE VERY RESTRICTED, SELECTIVE NATURE OF THE SOLE LEGAL PARTY (THE PARTY OF THE NATIONAL REVOLUTION) WHICH IS NOW IN THE PROCESS OF BEING FORMED BY THE GOA DOES NOT PROVIDE A SUFFICIENT BASES FOR BROAD, POPULAR POLITICAL EXPERIENCE OR PARTICIPATION. ADDITIONALLY, WITH ALL MEDIA UNDER THE CONTROL OF THE GOVERNMENT, FREE EXPRESSION OF VIEWS IS NOW LIMITED TO PERSONAL CONTACT WITHIN GROUPS (WHERE CRITICISM OF THE GOVERNMENT APPEARS TO BE TOLERATED BY THE GOA LEADERSHIP).

6. THE HRC THEN FOCUSED ON WHAT APPEARS TO BE A PROMISING AREA OF HUMAN RIGHTS IMPROVEMENT IN AFGHANISTAN: THE MODERNIZATION OF THE LEGAL AND JUDICIAL SYSTEM. IT WAS DECIDED THAT IT WOULD BE WORTHWHILE FOR MEMBERS OF THE HRC TO: (A) EVALUATE SELECTIVELY THE CONTRIBUTIONS BEING MADE BY SOME OF THE RETURNEES FROM THE GEORGE WASHINGTON UNIVERSITY LEGAL TRAINING PROGRAM; (B) STUDY WAYS IN WHICH WE COULD ESTABLISH AND MAINTAIN MORE PRODUCTIVE CONTACTS WITH THE GWU ALUMNI; AND

(C) CONSIDER WHETHER OTHER LEGAL TRAINING PROGRAMS SHOULD BE INVESTIGATED. A RELATED GOAL WOULD BE TO ENCOURAGE AND SUPPORT THE GROWING PARTICIPATION OF AFGHAN WOMEN IN THE JUDICIAL AND LEGAL FIELDS (SEVERAL WOMEN HAVE BECOME PUBLIC PROSECUTORS AND JUDGES DURING THE PAST YEAR).

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PAGE 01 KABUL 01546 02 OF 02 260913Z
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C O N F I D E N T I A L SECTION 2 OF 2 KABUL 1546

FOR STATE AND AID

7. FURTHER TO DECIDING WHETHER WE OUGHT TO CONSIDER THE DEVELOPMENT OF PROGRAMS IN THE LEGAL AND JUDICIAL FIELDS, THE HRC ENDORSED THE PREPARATION OF A STUDY BY MEMBERS OF THE HRC, AS RECOMMENDED BY WASHINGTON (SEE REFTEL A). IF THIS PRELIMINARY CONSIDERATION PRODUCES RESULTS WHICH WOULD APPEAR TO WARRANT DETAILED STUDY, THE HRC WILL THEN DECIDE WHETHER IT WOULD BE DESIRABLE TO REQUEST THE ASSISTANCE OF THE OUTSIDE CONSULTANT OFFERED IN REFTEL A.

8. THE FORMATION OF THE HRC REPRESENTS THE FIRST ORGANIZED STEP BY THE U.S. MISSION TO FOCUS SYSTEMATICALLY ON HUMAN RIGHTS IN AFGHANISTAN. THE COUNCIL PLANS TO MEET PERIODICALLY. THE HRC WILL CONCENTRATE ITS ATTENTION ON THREE AREAS: (A) ANALYZING, WITH ALL THE RESOURCES AVAILABLE TO THE MISSION, THE STATUS OF HUMAN RIGHTS IN AFGHANISTAN; (B) MONITORING THE HUMAN RIGHTS EFFECTS OF USG PROGRAMS HERE; AND (C) MOUNTING SPECIAL ACTION PROGRAMS DESIGNED TO IMPROVE THE AFGHAN HUMAN RIGHTS SITUATION WHEREEVER PROMISING AND FEASIBLE TARGETS CAN BE FOUND.
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